

Answers to Frequently Asked Questions

Q: What construction activities need storm water permits?

Any construction that disturbs one acre of land or more needs either a UPDES Storm Water General Permit for Construction Activities (Permit #UTR300000) or an alternate individual permit. There are a few exceptions:

- Smaller construction activities require permits if they are part of a larger common plan of development. For example, a homebuilder that purchases a lot or lots totaling less than 1 acre ($\frac{1}{4}$ to $\frac{1}{2}$ acre) of disturbed ground within a large development totaling 1 acre or more of total ground requires a permit.
- The *permit* may be waived for small construction sites if construction will be started and finished, meaning paving, re-vegetating, or placing similar erosion controls in place between January 1 and April 30 of the same calendar year. (Low Erosivity Waiver) Reasonable measures to control erosion and sediment must still be used in case runoff occurs during this time period.

Q: What is required in a permit?

A permit is needed BEFORE construction starts and must be maintained through final site stabilization which means:

- that all disturbed areas have either been built on, paved, re-vegetated or equivalent
- permanent, physical post construction erosion controls have been placed. (*Note: If a site is re-vegetated, then a cover must be established with a density of at least 70% of pre-disturbance levels to be considered “finally stabilized.” Re-seeding alone does not qualify.*)

Your permit requires you to control and eliminate storm water pollution sources through the development and implementation of a Storm Water Pollution Prevention Plan. In the Plan, you identify possible sources of storm water pollutants then select Best Management Practices (BMPs) to reduce or eliminate their impacts. BMPs are the most important element of this Plan. The aim is to control storm water sediment and erosion to the maximum extent practicable. Controls can encompass a wide range of structural and non-structural options:

- Structural controls could include, for example, the installation of a silt fence or the construction of a stabilized construction entrance/exit.
- Non-structural controls could include, for example, the maintenance of a vegetative filter strip or education of the general public on the application of fertilizer and pesticides.

The permit also requires routine inspection of the BMP controls at least once every 14 days. The inspections should identify whether any of the controls need maintenance and if they are effective. If deficiencies are found during inspections, this is required to be documented and followed up with actions to resolve the deficiencies. Documentation is required to be kept on site and is usually best kept in the SWPPP.

Q: How does the online application work?

The application takes about 20 minutes to complete. You will first be asked a series of screening questions. Depending on your answers, you will be guided to (1) the Notice of Intent or NOI form, or (2) if you are a small construction site that plans to start and finish between January 1 and April 30 of the same calendar year, you will be sent to the Low Erosivity Waiver Form. If you need a permit, the system will prompt you to fill out the NOI form, then to certify the information is accurate. The system will next move to the payment screen. The permit fee is automatically calculated by the system. If you represent a state or local governmental agency, you will be allowed to bypass this screen. Permit fee payments can be made by Visa, Mastercard or e-check. If you want to send a check by mail, the application can be submitted as “pending.” Mailed checks must be received within ten working days or the NOI will be deleted. The program will also allow you the option of printing off the NOI and submitting it and your check by mail. Permit coverage is then issued on the spot and you will be assigned your own permit number. Remember, before you apply online, you need to have developed your Storm Water Pollution Prevention Plan.

We desire to make this section more useful, so if you have questions for which you feel the answer would be valuable to citizens throughout the State, please email them to Harry Campbell at hcampbell@utah.gov. Thank you.